

## BEST AVAILABLE COPY

DECLARATION and POWER OF ATTORNEY(JOINT)

We, Eugene Parets and Robert Dirksen hereby declare that:

Our residence and post office addresses are, respectively:

1091 Steeple Run, Lawrenceville, Georgia 30043

and

1595 Chattahoochee Run Drive, Suwanee, Georgia 30024

1210 Hartford Run  
Buford, GA 30518

We are, respectively, citizens of: the United States of America.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM FOR BATCHING PRODUCT PORTIONS, the specification of which:

- 1) X is attached hereto.
- 2) \_\_\_\_\_ was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- 3) \_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge our duty to disclose to the Office information of which we are aware which is material to patentability. Such information is material to patentability when it is not cumulative to information already of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability as defined in Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application for patent or inventor's certificate listed below and have also identified below any corresponding foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	(Yes) (No)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, We acknowledge the duty, as stated above, to disclose material information, as defined in Title 37, Code of Federal Regulations, §1.56, relating to events which occurred between the filing date of the prior application and

## BEST AVAILABLE COPY

the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
----------------------	---------------

We hereby designate as our mailing address the office of:

WATTS HOFFMANN CO., L.P.A.  
P.O. Box 99839  
Cleveland, Ohio 44199-0839

And we hereby appoint each of the following attorneys, all of whom are associated with Watts Hoffmann Co., L.P.A. (Telephone No. 216/241-6700), as attorney of record to prosecute this application and to transact all business in the Patent Office connected therewith: Thomas E. Fisher, Reg. No. 18,271, Linn J. Raney, Reg. No. 23,078; John R. Hlavka, Reg. No. 29,076; Stephen J. Schultz, Reg. No. 29,108, George L. Pinchak, 37,697, Kenneth J. Smith, Reg. No. 45,115 and William A. Johnston, Reg. No. 47,687; Jennifer Nock Hinton, Reg. No. 47,653, and Michael A. Miller, Reg. No. 50,732

And we hereby appoint the foregoing Kenneth J. Smith, Reg. No. 45,115, principal attorney.

This appointment shall include all power to prosecute and transact all business relating to all applications corresponding to the referenced application in all countries, including all regional and international patent offices, such as, but not limited to, the European Patent Office and all offices and bureaus established in accordance with the Patent Cooperation Treaty.

We hereby further designate and appoint any officer of Watts Hoffmann Co., L.P.A. our attorney in fact with full power of substitution and revocation, including power to designate a substitute principal attorney.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

## BEST AVAILABLE COPY

Full name of Inventor:

Eugene Paros

Inventor's signature:

[Signature]

Date:

1/14/04

Residence:

1091 Steeple Run, Lawrenceville, Georgia 30043

Citizenship:

USA1210 Hartford Run

Post Office Address:

Same as aboveDuPont, GA 30518

Full name of Inventor:

Robert Dirksen

Inventor's signature:

[Signature]

Date:

1/14/04

Residence:

1595 Chattahoochee Run Drive, Suwanee, Georgia 30024

Citizenship:

USA

Post Office Address:

Same as above